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4 BILL NO. G-77-03-08

12-77
5 GENERAL ORDINANCE NO. G-~~77-12~~

6 AN ORDINANCE amending General
7 Ordinance No. G-97 by authorizing
8 the vacation of a certain street
9 vacation.

10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
11 WAYNE, INDIANA:

12 SECTION 1. Petition for the vacation of a certain
13 street vacation having been filed with the Fort Wayne City Plan
14 Commission in accordance with Section 44, Chapter 174, of the Acts
15 of the General Assembly of the State of Indiana, as amended by
16 Section 3, Chapter 385, of the Acts of 1963 of the General Assembly
17 of the State of Indiana(Burns Ind. Stat., 1974 Replacement, Sec.
18 53-744), the Thoroughfare Plan as set forth in General Ordinance
19 No. G-97 adopted by the Common Council of the City of Fort Wayne
20 on November 26, 1963, is amended by deleting the following
21 street vacation, to-wit:

22 Webster Street from the south right-of-way
23 of West Main Street to the North right-of-
24 way of West Berry Street.

25 SECTION 2. After passage of this Ordinance, approval by
26 the Mayor and legal publication, a duly certified copy of this
27 Ordinance, of the recommendation of the Fort Wayne City Plan
28 Commission, and of the action of the Mayor, shall be transmitted
29 by the City Clerk to the Board of Public Works of the City of Fort
30 Wayne, Indiana.

31 SECTION 3. This Ordinance shall be in full force and
32 effect from and after its passage, approval by the Mayor and legal
33 publication thereof.

34 
35 Councilman

APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 2-22-77

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.
PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	✓				
HINGA	✓				
HUNTER	✓				
MOSES	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHIMDT, V.	✓				
STIER	✓				
TALARICO	✓				

DATE: 5-10-77

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~)

ORDINANCE (~~RESOLUTION~~) No. G-7-12 on the 10th day of May, 1976.
ATTEST: (~~SEAL~~)

Charles W. Westerman
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of May, 1976, at the hour of 4:30 o'clock P M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 16th day of May, 1976, at the hour of 2:30 o'clock P M., E.S.T.

Robert L. Linschong
MAYOR

Bill No. 6-77-03-08

REPORT OF THE COMMITTEE ON Regulations

We, your Committee on Regulations to whom was referred an Ordinance

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a
certain street vacation.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

Vivian G. Schmidt, Chairman

Winfield C. Moses, Vice Chairman

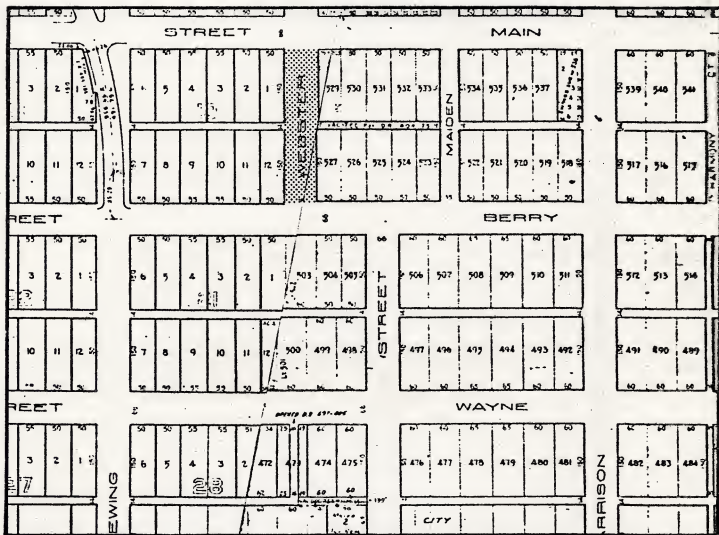
Hinga, William T.

Donald Schmidt

Sam Talarico

Vivian G. Schmidt
Winfield C. Moses Jr.
William T. Hinga
Donald Schmidt
Samuel J. Talarico

5-10-77 CONCURRED IN
DATE _____ CHARLES W. WESTERMAN, CITY CLERK



To be vacated

1-26-77

A-3

L.S.

G-77-03-08



R E S O L U T I O N

WHEREAS, THE FORT WAYNE REDEVELOPMENT COMMISSION AND THE CITY OF FORT WAYNE, by and thru THE BOARD OF PUBLIC WORKS, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street, in Allen County, Indiana, to-wit:

Webster Street from the south right-of-way
of West Main Street to the north right-of-way
of West Berry Street

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on Monday, April 18, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of street has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Electrical Engineering, Park Board, and thru the Public Utility companies.

WHEREAS, The Water Engineering Department is requesting an easement for maintenance of 12" water main; Water Pollution Control Engineering Department is requesting easements for the storm and sanitary sewers. Utility Companies are as follows:

General Telephone is requesting an easement for an existing facility...conduit on Webster with a manhole at the alley.

Indiana and Michigan requesting an easement over the north 20 feet.

Northern Indiana Public Service Company is requesting an easement for an existing facility...for the south 20 feet of Webster Street starting at the North right-of-way line of Berry Street.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED BY the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described and the same is hereby approved subject to the above mentioned easements required.

BE IT FURTHER RESOLVED no public utility occupying and using said street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.


BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets in Allen County, Indiana.

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

I, Darrell L. Blanton Vice President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on Monday, April 18, 1977, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 29th DAY OF April, 1977

FORT WAYNE CITY PLAN COMMISSION



Darrell L. Blanton
Vice President

64-206-18 5/4/77

R E S O L U T I O N

WHEREAS, THE FORT WAYNE REDEVELOPMENT COMMISSION AND THE CITY OF FORT WAYNE, by and thru THE BOARD OF PUBLIC WORKS, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Allen County, Indiana, to-wit:

Webster Street from the south right-of-way of
West Main Street to the north right-of-way
of West Berry Street

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46, and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on Monday, April 18, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of street has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street, hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, HENRY P. WEHREBERG, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works, following a Board of Works meeting held on May 4, 1977, and as the same appears of record in the official records of said Board of Public Works.

DATED THIS 4th DAY OF May, 1977

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Chairman

Edward W. Loman
Member

May G. Scott
Member

PETITION TO VACATE A PORTION OF WEBSTER STREET

TO: City Plan Commission
City of Fort Wayne

Board of Public Works
City of Fort Wayne

The undersigned petitioners do hereby petition the City Plan Commission of the City of Fort Wayne to vacate the following portion of street within the City of Fort Wayne, Indiana and hereby described as follows:

Webster Street from the south
right-of-way of West Main Street
to the north right-of-way of
West Berry Street

In support thereof, your petitioners would represent as follows:

- (1) That they are the owners of the real estate abutting both sides of said portion of Webster Street.
- (2) That said portion of Webster Street, as it now exists, lies within the West Main Street Renewal Project for which the West Main Street Urban Renewal Plan calls for the vacation of said portion of street and its inclusion in the Senior Citizens Housing Site.
- (3) That the maintenance of said portion of Webster Street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof.

Your petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

WHEREFORE, your petitioners pray that the above described portion of street be vacated according to the provisions of the Indiana Law pertaining thereto.

Dated this 26th day of January, 1977.

FORT WAYNE REDEVELOPMENT COMMISSION

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

By

Robert P. Turk
Robert P. Turk, Executive Director

Henry B. Wehrenberg

Edw. H. LaMar

May G. Scott

Regarding: The vacation of Webster Street from the south right-of-way of West Main Street to the north right-of-way of West Berry Street.

No, we do not require an easement.

☒ Yes, we do require an easement. * MAIN TO BERRY

☒ For existing facilities. ☒ For proposed facilities.

Remarks: FOR THE SO. 20' OF WEBSTER ST
STARTING AT THE N. R/W LINE OF BERRY ST

NORTHERN INDIANA PUBLIC SERVICE CO.

BY: H. E. Miller

Regarding: The vacation of Webster Street from the south right-of-way of West Main Street to the north right-of-way of West Berry Street.

No, we do not require an easement.

☒ Yes, we do require an easement.

☒ For existing facilities. ☒ For proposed facilities.

Remarks: Easement needed over north 20'

INDIANA & MICHIGAN ELECTRIC CO.

BY: Wm. L. Blackburn

Regarding: The vacation of Webster Street from the south right-of-way of West Main Street to the north right-of-way of West Berry Street.

No, we do not require an easement.

☒ Yes, we do require an easement.

☒ For existing facilities. ☒ For proposed facilities.

Remarks: WE HAVE CONDUIT ON WEBSTER WITH
A MANHOLE AT THE ALLEY A9

GENERAL TELEPHONE CO. OF IN.

BY: C. G. WILSON JR.

DIGEST SHEET

TITLE OF ORDINANCE _____ Street Vacation ordinance

G-77-03-08

DEPARTMENT REQUESTING ORDINANCE _____ CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE _____ Petitioners (FORT WAYNE REDEVELOPMENT COMMISSION)
are requesting the vacation of the following described street:

Webster Street from the south right-of-way of West Main Street to the
north right-of-way of West Berry St.,

EFFECT OF PASSAGE _____ If vacated, street would be utilized by abutting
property owners for the West Main Street Urban Renewal Plan

EFFECT OF NON-PASSAGE _____ street would remain open.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____ none

ASSIGNED TO COMMITTEE (J.N.) *Reg.*



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

May 17, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of May 20 and May 27, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. A-77-05-26
(As amended - As amended)
Appropriation Ordinance No. A-12-77
(As amended - As amended)

Bill No. G-77-03-30
General Ordinance No. G-14-77

Bill No. G-77-03-08
General Ordinance No. G-12-77

Bill No. Z-77-03-17
Zoning Map Ordinance No. Z-10-77

Bill No. Z-77-03-16
Zoning Map Ordinance No. Z-09-77

Bill No. Z-77-03-13
Zoning Map Ordinance No. Z-08-77

Bill No. Z-77-03-12
Zoning Map Ordinance No. Z-07-77



May 17, 1977
Ms. Virginia Grace
Page 2

Bill No. Z-77-03-11
Zoning Map Ordinance No. Z-06-77

Bill No. G-77-04-28
General Ordinance No. G-13-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 9

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

102

COMPUTATION OF CHARGES

102 lines, 1 columns wide equals 102 equivalent lines at 25¢
cents per line

26.42

Additional charge for notices containing rule or tabular work (50 per cent of above)

1.50

for extra proofs of publication (50 cents for each proof in excess of two)

27.92

TOTAL AMOUNT OF CLAIM

SETTING COST

of single column 2 ems

Size of type 5½ point

of insertions 2

Size of quad upon which type is cast 5½

Provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

V. E. GERKEN

19 77

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

5/20-27/77

Subscribed and sworn to before me this 27th day of May 1977

Notary Public

My commission expires September 28, 1979

A TRUE COPY OF
AFFIDAVIT HERE

Notice is hereby given that on the 10th day of May, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-12-77 General Ordinance, to wit:

BILL NO. G-12-77-03-08
GENERAL ORDINANCE NO. G-12-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street vacation.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street vacation having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. State, 1974 Replacement, Sec. 33-844), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street vacation, to-wit:

Webster Street from the south right-of-way of West Main Street to the North right-of-way of West Berry Street.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Hunter, Moses, Nuckols, O. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Date: 5-10-77

Charles W. Westernman
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, General Ordinance No. G-12-77 on the 10th day of May, 1977.

ATTEST: (SEAL)
Charles W. Westernman
John Nuckols
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 11th day of May, 1977, at the hour of 4:30 o'clock P.M., E.S.T.

Approved and signed by me this 18th day of May, 1977, at the hour of 2:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-12-77 passed by the Common Council on the 10th day of May, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 16th day of May, 1977 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 16th day of May, 1977.

Charles W. Westernman
CHARLES W. WESTERMAN
CITY CLERK

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

99

3

102

COMPUTATION OF CHARGES

102 lines, 1 columns wide equals 102 equivalent lines at 259¢
cents per line

\$ 26.42

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 27.92

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date May 27, 1977

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town of

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

5/20-27/77

Subscribed and sworn to before me this 27th day of May 1977

Notary Public

My commission expires September 28, 1979

CH COPY OF
SEMENT HERE

New York Stock

Local Stocks

CH COPY OF SEMENT HERE

10th day of May, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of May, 1977 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 14th day of May, 1977.

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

5-20-77

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)	_____
— number of equivalent lines	_____
Head number of lines	_____
Body number of lines	99
Tail number of lines	3
Total number of lines in notice	102

COMPUTATION OF CHARGES

102 lines, 1 columns wide equals 102 equivalent lines at .259¢	\$ 26.42
cents per line	
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM	\$ 27.92

DATA FOR COMPUTING COST

Width of single column 9.9 ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date May 27, 1977

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

5/20-27/77

Subscribed and sworn to before me this 27th day of May 1977

Notary Public

My commission expires September 28, 1979

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dline cigarettes "as food, drug
spokesman said the basic act
seal of the City of Fort Wayne, Indi-
ana. This 16th day of May, 1977.

Charles W. Westernman
CHARLES W. WESTERMAN
CITY CLERK

5-20 27